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VIA ECF

Honorable P. Kevin Castel
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Quirky Incorporated v. OXO International, Ltd.*
Counterclaimant OXO v. Quirky and Comerica Bank
Case no. 14-cv-1603 (PKC)

Dear Judge Castel:

We represent Quirky Inc., the plaintiff in this action, as well as counterclaim-defendant Comerica Bank. We are writing on behalf of Quirky and Comerica, and with the approval of defendant and counterclaim-plaintiff OXO Int'l, to request extensions of two related deadlines, as set forth below.

Quirky filed the complaint herein on March 10, 2014 and filed and served an Amended Complaint on April 22, 2014. On May 27, 2014, OXO filed an answer and Counterclaims against Quirky and also filed a cross-claim against Comerica, Inc. OXO alleges that Comerica is a necessary party to the action. Comerica's response to the cross-claim and Quirky's response to the counterclaim are each currently due on July 3, 2014. An Initial Pretrial Conference is currently scheduled for July 22, 2014.

1) The parties are currently considering terms of an agreement that would resolve OXO's allegation that Comerica is a necessary party to this action. If these issues are resolved, OXO intends to submit an amended counterclaim removing Comerica as a named party. Quirky and Comerica request a further two week extension of time, until July 17, 2014, to file their responses so that the parties can continue efforts to resolve this issue. This is the second request for such an extension of time. The first request was a two week extension to address this issue, which the Court granted. OXO consents to this request.

2) All parties respectfully request a further continuance of the Initial Pretrial Conference by two weeks (i.e., from July 22 until August 5, 2014) or to another date convenient to the Court. This is the third request for an adjournment of this conference. The first was granted in view of an extension of the deadline for OXO to respond to the Amended Complaint, and the second in view of the initial efforts to resolve the dispute between OXO and cross-claim defendant Comerica Bank. This extension would allow time for the parties to address the issues related to Comerica and (assuming successful), for OXO to file its amended counterclaims and for Quirky to respond thereto.

Thank you for your consideration.

Respectfully submitted,


Mitchell S. Feller

Cc: Counsel for OXO